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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.502 OF 2003

Cyanides and Chemicals Co. Petitioner
versus
Citurgia Biochemiccals Ltd. Respondent

WITH
COMPANY PETITION NO.611 OF 2003

Kandoi Polytex Pvt.Ltd. Petitioner
versus
Citurgio Biochemical Ltd. Respondent

Kamal Kishore Tated for petitioner.

Dhirendra K. Sinha for respondent no.1 i/by Paras Kuhad & Associates.

CORAM : A.M.KHANWILKAR, J.

DATE : 18th December 2007

PC :

1. Counsel for the respondent submits that the respondent company has been declared sick. If it so nothing survives for consideration in this petition. Counsel for the petitioner submits that a copy of the order passed by the BIFR has not been furnished. There is no reason to doubt the version of the advocate for the respondent who has produced copy of order dated 19.7.2007 passed by BIFR in Case No.232 of 2003 pertaining

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to respondent company. Copy of the order be placed on the file to be taken on record marked "X". Counsel for the respondent assures to do so as also furnish one copy to the advocate for the petitioner.

2. Accordingly, this petition is disposed off with liberty to the petitioner to pursue such other remedy as may be permissible by law to be decided on its own merits.

(A.M.KHANWILKAR, J.)